

**U.S. Department of the Interior
Bureau of Land Management**

**Determination of NEPA Adequacy
Opportunity Village Employment Resource Center & Arts
Enrichment Center
DOI-BLM-NV-S010-2016-0008-DNA
N-93838, N-93838-01**

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
4701 N. Torrey Pines Dr.
Las Vegas, Nevada 89130
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Introduction

BLM Office:	Las Vegas Field Office	Serial Number:	N-93838, N-93838-01
	4701 N. Torrey Pines Dr	NEPA Number:	DOI-BLM-NV-S010-2016-0008-DNA
	Las Vegas, Nevada 89130	Tiered from EIS:	Las Vegas Valley Disposal Boundary FEIS and ROD

Introduction

Title and Type of Project

Opportunity Village Employment Resource Center & Arts Enrichment Center R&PP

Location of Proposed Action

Decatur Blvd. & W. Deer Springs Road

Mount Diablo Meridian, Nevada

T. 19 S., R. 60 E.,

Sec. 24, lot 5

Applicant Name

Opportunity Village

Background

Description of Project

Opportunity Village NW Campus

The Opportunity Village Northwest Campus will be developed in phases, similar to the development of the existing Engelstad Campus which has been developed over a period of approximately ten years in four distinct phases. The program and specific scope to be included in each of the future phases will be determined based on then current needs and available funding.

The initial phase of development will include construction of an approximately 60,000 SF single story facility to accommodate Pride, Enable and Employment Resource Center programs currently offered at the leased North Campus at 4180 W. Craig Road, North Las Vegas.

Similar to the Engelstad Campus' Thomas & Mack Building, the main building on the Northwest Campus will be constructed to readily allow future expansion, and site development will incorporate planned future development taking total constructed square footage to approximately 120,000 SF, with parking and open spaces constructed at the outset.

Opportunity Village Park

Opportunity Village Park will be designed consistent with design criteria utilized by the City of Las Vegas and adjacent City of North Las Vegas and will be intended for use by OV clients and the general public. Areas intended for use by OV clients may contain specialized equipment and those portions of the park may be designed to be closed during off hours, with other areas of the park open during normal City of Las Vegas park hours.

Opportunity Village intends to solicit proposals for Architectural and Engineering services for the NW Campus in October, 2015 and to have an Architect selected and under contract by December 1, 2015. Design, zoning and permitting is anticipated to take 8 to 10 months, allowing for construction commencement late in the 3rd quarter or early 4th quarter of 2016. Construction duration is anticipated to be 14 months, completing near year end 2017.

Mitigation Measures

Special Stipulations:

1. To prevent undue harm, habitat-altering projects or portions of projects should be scheduled outside bird breeding season. In upland desert habitats and ephemeral washes containing upland species, the season generally occurs between February 15th and August 31st.
2. If a project that may alter any breeding habitat has to occur during the breeding season, then a qualified biologist must survey the area for nests prior to commencement of maintenance activities. This shall include burrowing and ground nesting species in addition to those nesting in vegetation. If any active nests (containing eggs or young) are found, an appropriately-sized buffer area must be avoided until the young birds fledge. As the above dates are a general guideline, if active nests are observed outside this range, they are to be avoided as described above.

Land Use Conformance

Land Use Plan: Las Vegas Resource Management Plan	Date Approved: October 1998
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Land Use Conformance Summary

The proposed action is in conformance with the Las Vegas Resource Management Plan Land Use Plan, even though it is not specifically provided for because it is clearly consistent with the following LUP decision, objective, and management direction:

RMP Management Direction

Objective LD-2. All public lands within the planning area, unless otherwise classified, segregated or withdrawn, and with the exception of Areas of Critical Environmental Concern and Wilderness Study Areas, are available at the discretion of the agency, for land use leases and permits under Section 302 of Federal Land Policy and Management Act and for airport leases under the authority of the Act of May 24, 1928, as amended.

Management Direction LD-2-a. Land use lease or permit applications and airport lease applications will be addressed on a case-by-case basis, where consistent with other resource management objectives and local land uses. Special terms and conditions regarding use of the public lands involved will be developed as applicable.

NEPA Document(s)

NEPA Document: Las Vegas Valley Disposal Boundary Final EIS and ROD	Date Approved: December 2004
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NEPA Conformance Summary

The proposed Land Use Authorization is in conformance with the Las Vegas Valley Disposal Boundary as approved by the Final Environmental Impact State and Record of Decision, December 2004 because:

“The analysis contained in the FEIS is site specific for all lands falling within a rights-of-way alignment based on 10 acre parcels of BLM land. The analysis assessed impacts to all resources 100 feet inside the boundary and 100 feet outside the boundary of all 10 acre parcels, contiguous or not. These impacts are quantified in the FEIS to allow BLM to approve future land use authorizations provided the entire action falls within the site specific areas analyzed in the FEIS. Documentation of actual resources impacts caused by each project would be documented in the project record.”

“All alternatives provide for continuation of other land uses such as right-of-way (ROW) grants, Recreation and Public Purpose Act (R&PP) leases, permits, and licenses.”

The BLM will require mitigation and monitoring measures to minimize the impacts to resources caused by BLM authorized activities, including issuance of ROW grants, R&PP leases, permits, and licenses. The following measures will be implemented:

- (1) Required holders of all ROW grants, R&PP leases, permits, and licenses that cause any surface disturbance to obtain and comply with dust control permits issued by the Clark County Department of Air Quality and Environmental Management.
- (2) Require holders of all ROW grants, R&PP leases, permits, and licenses that cause any surface disturbance to obtain and comply with storm water construction discharge permits and temporary discharge permits issued by the Nevada Department of Environmental Protection (NDEP). This will include implementing best management practices as defined by NDEP in the permit.
- (3) Implement the terms and conditions set forth in the Biological Opinion issued by the USFWS specific to the disposal actions. Lands transferred to private ownership will be subject to the terms and conditions of the Clark County Multiple Species Habitat Conservation Plan (MSHCP).
- (4) Bank the soil and collect the seed of the two-toned penstemon prior to land disposal.
- (5) Implement seed collection and salvage and relocation of bearpoppy and buckwheat, as deemed appropriate.
- (6) Prepare a Historic Properties Treatment Plan in consultation with the State Historic Preservation Officer (SHPO) for the nine sites determined eligible for listing on the National Register of Historic Places and for lands within the boundaries of the Tule Springs National Register Site. Place deed restrictions on the title to lands with these sites, as necessary, to implement the Treatment Plan before or after the land is sold.
- (7) Implement specific measures to treat the paleontological resources, including:
 - (a) Field recovery of exposed resources and associated contextual data identified during the field survey;
 - (b) Implement data recovery program to identify and permanently preserve the resources including stabilization of large remains and screen washing of fossiliferous sediments to recover microfossil remains;

- (c) Conduct scientific analysis of recovered fossils, including interpretation of species abundance, diversity and age;
- (d) Preserve and curate recovered significant fossil resources, including all associated contextual data at the Nevada State Museum and/or at a federally recognized, accredited repository with long term retrievable storage; and,
- (e) Disseminate information on the resources including publication in professional journals, public presentations, classes, and other forms of outreach and education.

(8) Complete environmental site assessments for hazardous materials on specific parcels as the parcels are nominated for sale.

Specific mitigation measures for the CTA are expected as a result of the development of a conservation agreement. These measures will be defined collaboratively among the BLM, USFWS, NDF, Clark County Department of Air Quality and Environmental Management (representing the MSHCP), and the local governments, with input from members of the mitigation strategy committee. These specific mitigation requirements to protect sensitive resources will be included as a condition of any future land title transfer. The need for future site specific environmental impact analysis under NEPA for affected parcels in the CTA to address the mitigation measures developed under a conservation agreement is not precluded. The Notice of Realty Action for future land sales will include the specific mitigation requirements for applicable parcels in the CTA.

NEPA Adequacy Criteria

Similar Action Analysis

Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Yes. FEIS, Sect. 2.3.3: “The BLM would continue to implement realty actions to support the transfer of land and orderly development in the disposal area, consistent with community land use plans. Realty actions include the issuance of ROW grants and R&PP leases and permits.”

Range of Alternatives

Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, resource values and circumstances?

Yes. All alternatives provide for continuation of other land uses such as right-of-way (ROW) grants, Recreation and Public Purpose Act (R&PP) leases, permits, and licenses (ROD Sect. IV).

Existing Analysis

Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standards assessments, recent endangered species listings, and updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the proposed action?

Yes. The existing analysis is valid. See Affected Resource Form attached.

Direct, Indirect, and Cumulative Effects

Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes. The proposed action is within the Las Vegas Valley land disposal boundary and located in an already highly disturbed, developed and urbanized area. The BLM will require mitigation and monitoring measures to minimize any possible impacts to resources caused by BLM authorized activities, including issuance of ROW grants, R&PP leases, permits, and licenses (ROD Sect. VI.).

Public Involvement

Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Public involvement and interagency review associated with the existing NEPA document is adequate for the current proposed action (FEIS Ch. 5 and ROD Sect. VII.)

BLM Staff Consulted

Aleta Nafus	Weed Management Specialist
Ashley Holcomb	Biologist
Boris Poff	Hydrologist
Christopher Linehan	Outdoor Recreation Planner
Dorothy Dickey	Realty Specialist
Evan Allen	Geologist
James Wilkinson	Geologist
Jimmy Linares	Biologist
John Schumacher	Outdoor Recreation Planner
Kerri-Anne Thorpe	Realty Specialist
Kirsten Cannon	Public Affairs Specialist
Krystal Johnson	Wild Horse and Burro Specialist
Lisa Christianson	Environmental Protection Specialist
Lorri Dukes	Geologist
Mark Boatwright	Archaeologist (PFO/RR)
Mark Slaughter	Natural Resource Supervisor
Melanie Cota	Biologist
Michelle Leiber	Realty Specialist
Nicollee Gaddis	Planning and Environmental Coord.
Sean McEldery	Supervisory Fire Management Specialist
Stanley Plum	Archaeologist
Stephen Leslie	Natural Resources Specialist
Susanne Rowe	Archaeologist

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitute BLM's compliance with the requirements of NEPA.


Signature of Project Manager

CCL/FAA

Signature of NEPA Coordinator

Philip Rhinhardt

Signature of Responsible Official

Vanessa L. Hice, Assistant Field Manager Division of
Lands

Date

1-11-16

*Acting
for*

The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.